

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

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CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff,

VS.

(1) JOSE ISRAEL GARCIA,  
(2) ROMULO ADAN GARCIA-IPINA,  
(3) JOEL GARCIA-IPINA,  
(4) MARIANO DELACRUZ,  
(5) GERARDO VAZQUEZ-CRUZ,  
(6) JESUS TELLO-TORRES a/k/a  
"Chuy,"  
(7) MARY CRUZ GUTIERREZ-  
SAN MIGUEL,  
(8) TONY GARCIA,  
(9) ROSA NELIA ALANIZ a/k/a  
"Nelly,"  
(10) MAYRA ELIZABETH ALANIZ,

Defendants.

CRIMINAL NO.

SEALED INDICTMENT

[Violation: 8 U.S.C. § 1324(a)(1)(A)(v)(I) &  
(B)(i) — Conspiracy to Bring In and Transport  
Illegal Aliens]

A11 CR 140 SS

THE GRAND JURY CHARGES:

COUNT ONE

Conspiracy to Bring In and Transport Illegal Aliens  
8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(i)

That between on or about November of 2008, the exact date unknown, and continuing thereafter until  
the date of this indictment, in the Western District of Texas and elsewhere, the Defendants,

(1) JOSE ISRAEL GARCIA  
(2) ROMULO ADAN GARCIA-IPINA  
(3) JOEL GARCIA-IPINA  
(4) MARIANO DELACRUZ  
(5) GERARDO VAZQUEZ-CRUZ  
(6) JESUS TELLO-TORRES a/k/a "Chuy"  
(7) MARY CRUZ GUTIERREZ-SAN MIGUEL  
(8) TONY GARCIA  
(9) ROSA NELIA ALANIZ a/k/a "Nelly"  
(10) MAYRA ELIZABETH ALANIZ

did knowingly and intentionally combine, conspire, confederate and agree together and with each other, and with persons known and unknown to the Grand Jury, to commit one or more of the following acts:

- (a) to bring or attempt to bring people who are aliens to the United States, knowing that said people are aliens, at places other than those designated by the Secretary of Homeland Security, a violation of Title 8, United States Code, Section 1324(a)(1)(A)(i); and
- (b) to transport or move, or attempt to transport and move, aliens within the United States, knowing or in reckless disregard of the fact that said aliens had come to, entered, and remained in the United States in violation of the law, by means of transportation or otherwise in furtherance of such violation of law, a violation of Title 8, United States Code, Section(a)(1)(A)(ii);

all in violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I) and (B)(i).

**NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE**  
**(8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(i) and 18 U.S.C. § 982(a)(6)(A)(ii))**

As a result of the foregoing criminal violations as set forth in Count One of the Indictment, which is punishable by imprisonment for more than one year, the United States gives notice that it intends to forfeit, but is not limited to, the below listed property from Defendant **JOSE ISRAEL GARCIA**. Defendant shall forfeit all right, title and interest in said property to the United States pursuant to Fed .R. Crim. P. 32.2 and 18 U.S.C. § 982(a)(6)(A)(ii), which states the following:

**18 U.S.C. § 982 Criminal Forfeiture**

**(a)(6)(A)** The Court, in imposing sentence on a person convicted of a violation of, or conspiracy to violate, section 274(a) . . . of the Immigration and Nationality Act [8 U.S.C. § 1324(a)] . . . shall order that the person forfeit to the United States, regardless of any provision of State law—

. . . .

**(ii)** any property real or personal—

**(I)** that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense of which the person is convicted; or

**(II)** that is used to facilitate, or is intended to be used to facilitate, the Commission of the offense of which the person is convicted.

Such property includes, but is not limited to the following real property:

A. Real property located at **1315 Saint Johns Road, Dale, Texas 78616, Caldwell, Texas**, whose legal description is: All of A230 Pace, Gideon, Acres 4.0, 12x60 MH, Label 1 TEX0125792, SN1 TX147637883D an Addition to the County of Caldwell, Texas, as per map or plat thereof recorded with the Office of the County Clerk of Caldwell County, Texas, reference to which is here made for all purposes.

**ORIGINAL SIGNATURE  
REDACTED PURSUANT TO  
E-GOVERNMENT ACT OF 2002**

JOHN E. MURPHY  
UNITED STATES ATTORNEY

BY:

  
GARTH BACKE  
Assistant United States Attorney